

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
MCALLEN DIVISION

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GREGORIO TREVINO, JR., et al. )  
Plaintiffs, )  
)  
v. ) Civil Case No. 15-CV-435  
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)  
HIDALGO COUNTY, TEXAS, et al., )  
Defendants. )  
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**[PROPOSED] AMENDMENTS TO JOINT PRE-TRIAL ORDER**

In accordance with the Court's oral request in the status conference held on May 3, 2019, the Plaintiffs (J.C. Cardenas, Rene Martinez Herrera, and Santiago Zavala) and Defendants (Hidalgo County, A.C. Cuellar, Raul Lozano, Oscar Gonzalez, David Rodriguez, and Esteban Mata) hereby amend the following portions of the Joint Pretrial Order and submit same for approval by the Court:

**7. CONTESTED ISSUES OF FACT**

- a) Whether or not Plaintiffs Cardenas and Martinez suffered any adverse employment actions. *See, e.g., Order Granting in Part and Denying in Part Defendant David Rodriguez's Motion for Summary Judgment* (Doc. No. 64) at 16 (finding genuine dispute of fact as to whether non-terminated Plaintiffs suffered actionable demotion or adverse employment action).
- b) Whether or not Plaintiffs suffered any adverse employment actions as a result of the exercise of their First Amended rights. *See Bosque v. Starr County, Tex.*, 630 Fed. App'x 300, 306 (5th Cir. 2015) (not designated for publication) (discussing causation as a fact issue for the jury).
- c) Whether or not Plaintiffs Cardenas and Martinez suffered any compensable damages.
- d) Whether or not Plaintiff Zavala's termination was justified due to his inability to perform his job duties. *See, e.g., Order Granting in Part and Denying in Part Defendant David Rodriguez's Motion for Summary Judgment* (Doc. No. 64) at 29 (finding genuine dispute of fact as to causation regarding Zavala's claims).

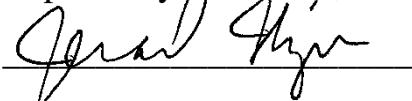
## **9. CONTESTED PROPOSITIONS OF LAW**

A) The issues the parties had previously listed as contested propositions of law were agreed by the parties to actually be contested factual issues, and have been moved to that section, above.

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**UNITED STATES DISTRICT COURT**

Respectfully submitted,



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**Certificate of Service**

The undersigned counsel hereby certifies that on June 14, 2019, the foregoing document, and any accompanying exhibits and proposed order, was served on the Defendants in this matter by means of the court's CM/ECF system.

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/s/ Jerad Najvar

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